

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UGOCHUKWU GOODLUCK
NWAUZOR, FERNANDO AGUIRRE-
URBINA, individually and on behalf of all
those similarly situated,

Plaintiffs.

v.

Defendant.

No. 17-cv-05769-RJB

DECLARATION OF JAMAL N.
WHITEHEAD IN SUPPORT OF
PLAINTIFFS' MOTIONS IN
LIMINE

I, JAMAL N. WHITEHEAD, declare as follows:

1. I am over the age of eighteen, competent to testify in this matter, and do so based on personal knowledge.

2. Before filing this motion, I conferred with GEO's counsel by telephone on March 9 and 11, 2020. We discussed the parties' proposed motions in limine in an effort to resolve any disputes. The parties agreed on several issues, and expect to submit a stipulation containing those agreements this same day or soon after. One such stipulation is an agreement between the parties that neither Plaintiffs nor members of the class shall be referred to as "illegals."

1 3. Mr. Aguirre-Urbina's criminal history is as follows:

2 Disposition Date	3 Description	4 Type	5 Sentence
6 05/31/2012	7 Delivery of controlled substance, methamphetamine	8 Felony Conviction	9 12 months + 1 day
10 05/31/2012	11 Possession with intent to deliver, methamphetamine	12 Felony Conviction	13 12 months + 1 day
14 05/31/2012	15 Possession with intent to deliver, marijuana	16 Felony Conviction	17 6 months
18 01/25/2011	19 Theft 3	20 Bail Forfeiture	21 None
22 06/30/2010	23 Obstruction	24 Misdemeanor Conviction	25 365 days, 365 days suspended
26 12/01/2009	27 Malicious Mischief	28 Misdemeanor Conviction	29 90 days, with 90 days suspended
30 03/17/2009	31 Possession of marijuana	32 Misdemeanor Conviction	33 90 days, with 89 days suspended
34 03/17/2009	35 False Statements	36 Misdemeanor Conviction	37 90 days, with 89 days suspended

14 4. On March 11, 2020, counsel for GEO suggested that to the extent it was
 15 permitted to inquire about Mr. Aguirre-Urbina's mental state, that any such examination would
 16 occur outside the presence of the jury.

17 5. Attached as **Exhibit A** is a true and correct copy of an excerpt from the
 18 Deposition of Ugochukwu Goodluck Nwauzor on June 19, 2018.

19 6. GEO has identified over a dozen witnesses from various Washington agencies
 20 and all but a few of its proposed exhibits relate to Washington correctional facilities and
 21 programs, including proposed exhibits A-14–A-104, A-111–A-114, A-119–A-217, A-224A–
 22 227, A-230, and A-232A-233.

1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct.

3 DATED at Seattle, Washington this 12th day of March, 2020.

4 s/ *Jamal N. Whitehead*
5 JAMAL N. WHITEHEAD

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED at Seattle, Washington this 12th day of March, 2020.

s/ Virginia Mendoza
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**WHITEHEAD DECL. IN SUPPORT OF
PLTFS.' MTNS. IN LIMINE
(17-cv-05769-RJB) - 4**

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